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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Baxter et al. Confirmation No.: 7561
Serial No.: 09/281,717 Art Unit: 1631
Filed: March 30, 1999 Examiner: M. Moran
For: METHODS AND COMPOUNDS Attorney Docket No.: 9811-008-999
FOR MODULATING NUCLEAR
RECEPTOR COACTIVATOR
BINDING

**UNOFFICIAL COMMUNICATION REGARDING
FORTHCOMING TELEPHONIC INTERVIEW**

Examiner Marjorie Moran
Art Unit 1631
Tech Center 1600
Commissioner for Patents
2011 South Park Place
Crystal Plaza Two
Arlington, VA 22202

Further to our telephone conversation, October 6, 2003, the following are items that I would like to discuss at our forthcoming telephonic interview, on October 15, 2003.

- 1) Applicants understand the Examiner's remarks on page 2 of the July 16, 2003 office action to mean that Applicants presented arguments on claim 9 in their response of April 7, 2003. If this interpretation is correct, please point out where such arguments are to be found.
- 2) New matter objection, on pages 3 - 4 of the July 16, 2003 office action: in respect of item (a), please see specification as filed, pages 39, line 14, and pages 40-42, in particular page 41, lines 29-32. Please also see proposed amendment to specification, attached hereto.
- 3) Rejections of the Claims under 35 U.S.C. § 112 (2) (in July 16, 2003 office action): please review the attached claim 2 (amended) so that we can discuss whether an amendment of that form would be acceptable.
- 4) Scanlan is not a reference, because commonly owned; thus art rejections may be obviated. See CPA filed, July 3, 2001.
- 5) Please review attached proposed New claims 44-50 to ascertain whether they can be entered after Final.

Richard G. A. Bone